

Award Acceptance Speech at the Ceremony for
Edward Snowden – in Absence

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“This is our Manhattan Project for the 21st century.”

This was how Admiral John Poindexter characterised the Total Information Awareness Program which George W. Bush commissioned him to initiate and develop in 2002, aiming for blanket surveillance of all communication data. The comparison should not be taken lightly since Admiral Poindexter was a nuclear physicist.

Edward J. Snowden has now confronted us with the terrifying dimensions of the current stage of development of this program. He tapped us on the shoulder and said, “Take a look at that!” And now we can see what we previously were not aware of: the “Five Eyes” and their smaller chums are standing behind us, watching over our shoulders when we use the telephone, write e-mails and surf the internet.

“Five Eyes” - an insider term reminding us of the one-eyed Cyclops which Homer, in Book 9 of the Odyssey, describes as being lawless malefactors.

Without Edward Snowden, ladies and gentlemen, we would know nothing about Prism, Tempora and XKeyScore.

Everyone who uses the internet to find political information, everyone who has used the telephone or e-mail to conduct a confidential conversation, everyone who is in any way involved with international political or business negotiations - all of these people are now asking themselves: How is my private data being used? Do the other parties to the negotiations already know the negotiation strategy we devised internally? Do they know any of my company secrets? Results from our R&D department?

Ladies and gentlemen,

Virtual profiling conducted by intelligence agencies has led to us all receiving our own second virtual identity to go with the one we have made of flesh and blood. This virtual identity serves to make us calculable and predictable in our behaviour as consumer, voter and political actors.

This total information awareness can be misused to create a totally authoritarian rule over guided citizens.

In this regard, Edward Snowden posed the core question of our age: Do we want to live like this?

I would like to add the question: Do we want to be governed like this? After all, we are not talking about something that only concerns intelligence agencies.

These agencies are merely carrying out orders given to them by the ruling powers. And the analysis they deliver forms the basis of the government's actions.

Broad surveillance for later analysis without any specific suspicion was disclosed by Edward Snowden and this represents a particularly severe breach of our fundamental rights.

Article 10 of the German constitution guarantees privacy of correspondence and privacy of post and telecommunications. There is also a fundamental right to informational self-determination and to a guarantee of confidentiality and integrity in information systems. However, these are all clearly now worthless and obsolete. The practices revealed go way beyond anything that the German Federal Constitutional Court declared to be permissible in its judgements on data retention and surveillance in the telecommunications sector.

According to §§ 203ff. of the German Criminal Code, violation of the privacy of post and telecommunications and violation of the personal and commercial right to privacy are both punishable offences. So we demand that our state prosecutors act accordingly and pursue these offences.

Insofar as espionage has been illegally carried out from German soil by foreign intelligence agencies, this should result in termination of the relevant treaties and agreements, cessation of any illegal exchanges of data by the German BND, and the strict enforcement of a clear separation of duties, whereby the agencies responsible for international intelligence cease to gather information about citizens of their own country.

Edward Snowden could make an important contribution to the investigations in this regard in Germany.

§ 22 of the Residence Act provides for the admission of a foreigner from abroad on these grounds. After his entry to the country we could admit him to a witness protection program.

Unfortunately, it is obvious the federal government is not taking this approach. The obligation of the executive branch to comply with the law according to Art.

20 § 3 of the constitution, on which Ms Merkel and the members of her cabinet swore their oath of office, appears not to be important anymore.

The conspiracy of the Five Eyes and their allies against their own civil societies continues unabated. Instead of receiving an invitation, Edward Snowden was banned from flying over certain countries. He was refused safe passage and conduct or protection from extradition to the USA. In the US, charges have already been filed against him for theft of government property and espionage. Although this is clearly a topsy-turvy interpretation of the facts.

After all, was it not the NSA and its British counterpart GCHQ, together with the Canadian Communication Security Management and their allied agencies from Australia, New Zealand and Europe who engaged in illegal activities to spy on their own citizens? And surely Edward Snowden was just the messenger carrying the bad news?

In terms of the 1917 Espionage Act, who was he spying for? Which enemy is supposed to have benefited from his actions? Perhaps the international community of internet users rightly seeking uncontrolled and uncensored usage of their e-mail services and the web?

This threat of punishment nonetheless has to be taken seriously.

That is the lesson to be learnt from the fate of Chelsea Elizabeth Manning, born Bradley Edward Manning, the winner of the Whistleblower Award in 2011. In July she was sentenced to the draconian term of 35 years in prison and a dishonourable discharge from the military.

As far as the legal assessment of publication of documents from the Gulf War is concerned, there seems to be no room for consideration of the judgement that the war itself was a breach of international law, as passed by the Federal Administrative Court after extensive analysis based on international law during a disciplinary hearing against an officer in the German Bundeswehr. The judgement against Manning also did not take into consideration the fact that a helicopter video he released (which later became known under the title "Collateral Murder") actually documented a war crime.

We can also only be appalled by the Obama administration's assurance that nobody should worry about extraditing Edward Snowden to the USA since he would not be tortured there, nor would he receive the death sentence.

A declaration as cynical as this from the first black president and the first black attorney general? That is surely not part of Martin Luther King's dream which inspired the American civil rights movement and people all around the world 50 years ago.

However, this declaration might not have been cynical but completely serious. After all, the UN High Commissioner of Human Rights determined that

Manning was subjected to inhumane treatment during the initial period after the arrest: sleep prohibition during the day and orders to report every 5 minutes.

She was accused of wanting to commit suicide and responded ironically by asking whether they thought she was going to kill herself with her underwear or flip-flops: this led to her guards removing the rest of her clothes from the cell. As a result she had to report to the guards naked and spend the nights naked as well.

What a disgrace for the "land of the free"!

Ladies and gentlemen,

At this point we call for the following. The terrible judgement against Manning should definitely not be allowed to remain in force.

Set Chelsea Manning, the 2011 Whistleblower Award winner, free!

And we say: Hands off Edward Snowden!

Edward Snowden does not deserve to be put in the dock and does not belong in an American prison cell.

Instead, Edward Snowden deserves to win a prize for his bravery and the courage of his convictions. When I say this I think I speak not only for the jury and not only for the boards and members of IALANA, the Federation of German Scientists and Transparency International, but for everyone interested in free usage of telephones, e-mail and the internet without indiscriminate, general collection and analysis of data by intelligence agencies - and that is surely the vast majority of the civilian population!

The 2013 Whistleblower Award from the International Association of Lawyers Against Nuclear Arms, Germany, the Federation of German Scientists and Transparency International Germany goes to Edward Jacob Snowden!

Übersetzung: Craig Meulen